

### REMARKS/ARGUMENTS

The claims are 1-9. Claims 1-2 have been canceled in favor of new claim 7 to better define the invention. Accordingly, claims 3-6, which previously depended on claim 1, have been amended to depend on new claim 7. These claims have also been amended to improve their form. In addition, new claims 8 and 9 have been added. New FIG. 5 has been added, similar to FIG. 2, showing an embodiment of the winding device with a second row of at least two rollers as recited in claim 4. The specification has been amended to refer to this new FIG. 5, to include headings and to remove reference to the claims as requested by the Examiner, the amendments being reflected in the accompanying Substitute Specification, including a clean copy and a marked-up copy showing the changes over the previous version. Support may be found, *inter alia*, in the disclosure on pages 2 and 4-6, in original claim 4, and in the original drawings. Reconsideration is respectfully requested.

The drawings were objected to under 37 C.F.R. §1.83(a) as failing to show "a second row of at least two support rollers" as recited in claim 4. In response, Applicant submits a new FIG. 5 showing this feature and has amended the specification, *inter alia*, to refer to FIG. 5. It is respectfully submitted that the foregoing amendments overcomes the Examiner's objection to the drawings under 37 C.F.R. §1.83(a), and Applicant respectfully requests that the objection to the drawings be withdrawn.

The specification was objected to as referring to claims and as lacking headings. In response, Applicant has amended the specification to correct these informalities.

Claims 1-6 were rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement, Accordingly to the Examiner, it was unclear how two support rollers are able to adjust and change the distance with respect to the changing diameter of the roller and how these rollers are actuated and adjustable in horizontal and vertical direction.

This rejection is respectfully traversed.

As set forth in 35 U.S.C. 112, the detailed description of the invention need only be in such full, clear, concise and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same. It is respectfully submitted that the disclosure at pages 4 and 5 of the specification in conjunction with the drawings regarding the horizontal adjustability of the support rollers provides sufficient guidance to enable one skilled in the art to construct a winding device with support rollers that are adjustable by changing the distance between them in order to adapt to every angle diameter of the wound goods. Upon reading the specification, one skilled in the art would know how to construct such a winding device as recited in new claim 7 in which the support rollers are adjustable by changing the distance between them.

The disclosure also recites that the rollers may be adjusted vertically by a height regulation of the substructure or by the

embodiment described on pages 5 and 6. For example, page 5 of the disclosure refers to a horizontal and vertical guide rail within a supporting roller region so that the supporting rollers are horizontally and vertically displaceable along the guide rail. It is respectfully submitted that this disclosure likewise provides sufficient guidance to permit one skilled in the art to construct a winding device with adjustable support rollers. Accordingly, it is respectfully submitted that new claim 7, and dependent claims 3-6 and 8-9, fully comply with the requirements of 35 U.S.C. 112 and that the rejection on that basis should be withdrawn as well.

Claims 1-6 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for the reasons set forth on page 6 of the Office Action. In response, Applicant has, *inter alia*, canceled claims 1 and 2 in favor of new claim 7 and has amended claim 6 to improve its form. It is respectfully submitted that all currently pending claims fully comply with 35 U.S.C. § 112, second paragraph, and Applicant respectfully requests that the Examiner's rejection on this basis be withdrawn as well.

Claims 1-3 and 6 were rejected under 35 U.S.C. § 102(b) as being anticipated by *Graham U.S. Patent No. 5,441,213*. Claims 1 and 4 were rejected under 35 U.S.C. § 102(b) as being anticipated by *Guerin French Patent Number 2,726,207*. Claims 1,3 and 5-6 were rejected under 35 U.S.C. § 102(b) as being anticipated by *Valentine et al., U.S. Patent No. 1,803,043*. Essentially the Examiner's position was that each of *Graham*, *Guerin FR '207* and *Valentine et al.* discloses the winding device of the present invention.

In response, Applicant has canceled claims 1 and 2 in favor of new claim 7 which includes the features previously recited in claim 2, thereby obviating the rejections on the basis of *Guerin FR '207* and *Valentine et al.*, and respectfully traverses the rejection for the following reasons.

As set forth in new claim 7, Applicant's invention provides a winding device for winding and unwinding a product in web form including a substructure for supporting a wound product having at least first and second supporting rollers that are placed at a distance from one another. The distance between the first and

second supporting rollers is adjustable as the winding diameter of the product changes corresponding to the winding and unwinding of the product.

The winding device also has the first and second supporting rollers configured to be vertically and horizontally displaceable in order to adapt themselves to each winding diameter, wherein the supporting rollers have a course of motion such that the wound product is held securely.

None of the cited references discloses or suggests a winding device that has the structure set forth in new claim 7, which includes two supporting rollers that are configured to be vertically and horizontally displaceable in order to adapt themselves to each winding diameter.

Although the Examiner asserts in the Office Action that *Graham* discloses a winding device that has vertically and horizontally displaceable supporting rollers, it is respectfully submitted that *Graham* shows only one roller being linearly displaceable and only one roller being vertically displaceable.

*Graham* does not show both rollers being vertically and horizontally displaceable as recited in new claim 7. Moreover, although *Graham* discloses that the vertically displaceable roller is configured for vertical movement for the purposes of unloading the product after it is wound (*Graham*, col. 3 lines 53-64), there is no disclosure or suggestion in *Graham* of supporting rollers that are configured to be vertically displaceable to adapt themselves to the changing size of a winding product's diameter as recited in Applicant's new claim 7, let alone one that is both horizontally and vertically displaceable.

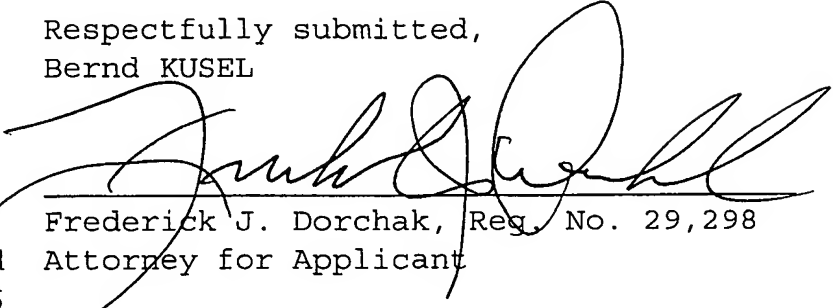
Accordingly, Applicant respectfully submits that new claim 7 is patentable over the cited references, taken either singly or in combination, together with claims 3-6 and 8-9 which depend thereon.

In summary, claims 1-2 have been cancelled, claims 3-6 have been amended, and new claims 7-9 have been added. A Substitute Specification reflecting amendments therein and a new drawing sheet depicting FIG. 5 has also been submitted. In view of the

foregoing, it is respectfully requested that the claims be allowed and that this application be passed to issue.

Respectfully submitted,  
Bernd KUSEL

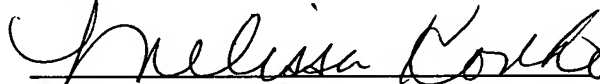
COLLARD & ROE, P.C.  
1077 Northern Boulevard  
Roslyn, New York 11576  
(516) 365-9802  
FJD:DG:cmm



Frederick J. Dorchak, Reg. No. 29,298  
Attorney for Applicant

Enclosures: Appendix with one (1) new sheet of drawing,  
Attachment A and Attachment B

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 22, 2008.



Melissa Konko



# APPENDIX

# ATTACHMENT A